

110TH CONGRESS
2D SESSION

S. 2980

To amend the Child Care and Development Block Grant Act of 1990 to improve access to high-quality early learning and child care for low-income children and working families, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 6, 2008

Mr. CASEY introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Child Care and Development Block Grant Act of 1990 to improve access to high-quality early learning and child care for low-income children and working families, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Starting Early Start-
5 ing Right Act”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

1 (1) Children in child care learn and develop
2 skills they need to succeed in school and in life.
3 Child care is also fundamental to helping families
4 get ahead by giving parents the support and peace
5 of mind they need to be productive at work.

6 (2) Child care teachers and providers carry the
7 responsibility of providing a safe, nurturing, and
8 stimulating setting for children entrusted to them
9 each day.

10 (3) In 2006, the average wage for a child care
11 worker was \$9.05 per hour or \$18,820 annually. For
12 full-time, full-year work this is only slightly above
13 the 2006 poverty guidelines of \$16,600 for a mother
14 with 2 children.

15 (4) As a result of low wages and limited bene-
16 fits, many child care providers do not work for long
17 periods in the child care field. Only 65 percent of
18 those employed in the child care field in 2005 were
19 still working in child care in 2006. Such high turn-
20 over rates deny children consistent and stable rela-
21 tionships with their teachers.

22 (5) Current reimbursement rates for child care
23 providers receiving Federal funds are insufficient to
24 recruit and retain qualified child care providers and

1 to ensure high-quality early care and education serv-
2 ices for children.

3 (6) Research shows that high-quality child care
4 helps low-income children enter school ready to suc-
5 ceed. One study found that children who had en-
6 rolled in high-quality child care demonstrated great-
7 er mathematical ability and thinking and attention
8 skills, and experienced fewer behavior problems than
9 other children in second grade. Effects were particu-
10 larly strong for low-income children.

11 (7) Millions of low-income children could benefit
12 from high-quality child care. In 2007, 10,500,000
13 children under age 6 (43 percent) lived in low-in-
14 come families (families with incomes below 200 per-
15 cent of poverty).

16 (8) Inadequate funding has reduced the number
17 of children with access to child care. Only about 1
18 in 7 eligible children receives Federal child care as-
19 sistance.

20 (9) Many women work in low-wage jobs and
21 cannot cover the cost of child care. For example,
22 two-thirds of working poor families headed by single
23 mothers who paid for child care spent at least 40
24 percent of their cash income on child care.

1 (10) Problems with child care can make it dif-
 2 ficult for parents, particularly low-income parents, to
 3 work, causing them to lose wages, be denied a pro-
 4 motion, or lose their jobs.

5 (11) Research shows that single mothers and
 6 former welfare recipients who received child care as-
 7 sistance were much more likely to remain employed
 8 after 2 years than those who did not receive child
 9 care assistance.

10 (b) PURPOSE.—The purpose of this Act is to im-
 11 prove—

12 (1) access to high-quality early learning and
 13 child care for low-income children and working fami-
 14 lies; and

15 (2) the quality of child care and the number of
 16 high-quality child care providers.

17 **SEC. 3. AMENDMENTS TO THE CHILD CARE AND DEVELOP-**
 18 **MENT BLOCK GRANT ACT OF 1990.**

19 (a) ESTABLISHMENT OF PROGRAM.—Section 658C
 20 of the Child Care and Development Block Grant Act of
 21 1990 (42 U.S.C. 9858a) is amended to read as follows:

1 **“SEC. 658C. ESTABLISHMENT OF BLOCK GRANT PROGRAM**
2 **AND OFFICE OF CHILD CARE.**

3 “(a) IN GENERAL.—The Secretary is authorized to
4 make grants to States in accordance with the provisions
5 of this subchapter.

6 “(b) OFFICE OF CHILD CARE.—

7 “(1) IN GENERAL.—There shall be established
8 within the Administration for Children and Families,
9 an Office of Child Care to serve as the principal ad-
10 visor to the Assistant Secretary for Children and
11 Families on issues regarding State funded child care
12 programs.

13 “(2) PRIMARY RESPONSIBILITIES.—The Office
14 of Child Care shall have primary responsibility for
15 the operation of all child care programs authorized
16 or funded under part A of title IV of the Social Se-
17 curity Act.

18 “(3) ADDITIONAL RESPONSIBILITIES.—The Of-
19 fice of Child Care shall have the following respon-
20 sibilities:

21 “(A) Developing legislative, regulatory, and
22 budgetary proposals for the Secretary.

23 “(B) Presenting operational planning ob-
24 jectives and initiatives related to child care to
25 the Secretary.

1 “(C) Overseeing the progress of approved
2 activities.

3 “(D) Providing leadership and coordina-
4 tion for child care, early childhood development,
5 and school-age programs within the Administra-
6 tion for Children and Families.

7 “(E) Providing leadership and linkages
8 with other agencies on child care issues includ-
9 ing agencies within the Department of Health
10 and Human Services, relevant agencies across
11 the Federal, State, local governments and tribal
12 governments, and non-government organiza-
13 tions at the Federal, State and local levels.”.

14 (b) APPLICATION AND PLAN.—Section 658E(c) of
15 the Child Care and Development Block Grant Act of 1990
16 (42 U.S.C. 9858c(c)) is amended—

17 (1) in paragraph (2)—

18 (A) in subparagraph (E)—

19 (i) redesignating clause (ii) as clause
20 (iii); and

21 (ii) by inserting after clause (i), the
22 following:

23 “(ii) SITE VISITS.—Certify that the
24 State has in effect licensing requirements
25 applicable to child care providers within

the State that include one annual announced and one annual unannounced visit to each site at which the provider provides child care services. Nothing in the preceding sentence shall be construed to require that licensing requirements be applied to specific types of providers of child care services.

“(iii) TRAINING.—Certify that the State has in effect licensing or registration requirements applicable to child care providers within the State that require, within 3 years of the date of enactment of the Starting Early Starting Right Act, that every lead teacher or aide of the provider, and each family child care provider—

“(I) have at least 40 hours of appropriate health, safety, and child development training prior to their employment with or operation as a provider (as determined in accordance with guidelines to be issued by the Secretary); and

“(II) have at least 24 hours of annual training in appropriate health,

1 safety, and child development training
 2 (as determined in accordance with
 3 guidelines to be issued by the Sec-
 4 retary).

5 “(iv) OTHER TRAINING.—Certify that
 6 the State has a plan to implement, within
 7 3 years of the date of enactment of the
 8 Starting Early Starting Right Act, pre-
 9 and in-service training requirements appli-
 10 cable to child care providers that provide
 11 services for which assistance is made avail-
 12 able under this subchapter.

13 “(v) TRAINING FOR LIMITED-
 14 ENGLISH-PROFICIENT (LEP) PROVIDERS.—
 15 Certify that the State has a plan to pro-
 16 vide for the training of child care service
 17 providers with limited-English proficiency
 18 to provide high-quality child care serv-
 19 ices.”;

20 (B) in subparagraph (H)—

21 (i) by striking “Demonstrate the man-
 22 ner” and inserting the following:

23 “(i) IN GENERAL.—Demonstrate the
 24 manner”; and

1 (ii) by adding at the end the fol-
2 lowing:

3 “(iii) SPECIFIC NEEDS.—Demonstrate
4 the manner in which the State will meet
5 the specific child care needs of low-income
6 and working families, including—

7 “(I) the outreach strategies to be
8 used to reach hard-to-serve children,
9 including low-income children, English
10 language learners, children with spe-
11 cial needs, and children in rural areas;

12 “(II) the use of contracts with
13 child care centers, family child care
14 homes, and organizations that manage
15 and support family child care net-
16 works to reach hard-to-serve children
17 and underserved communities;

18 “(III) the use of pilot or dem-
19 onstration projects to increase the
20 supply of high-quality child care in
21 underserved communities;

22 “(IV) the use of pilot or dem-
23 onstration projects that demonstrate
24 effective techniques and approaches of
25 specialized training for child care

1 service providers with limited-English
 2 proficiency to improve their ability to
 3 provide high-quality child care serv-
 4 ices; and

5 “(V) the use of pilot or dem-
 6 onstration projects that demonstrate
 7 effective techniques and approaches of
 8 specialized training for child care pro-
 9 viders working with children with de-
 10 velopmental disabilities.”; and

11 (C) by adding at the end the following:

12 “(I) CONTINUOUS CARE.—Demonstrate
 13 how the State is implementing practices and
 14 procedures to help ensure that children receive
 15 continuous care from the same provider, includ-
 16 ing through—

17 “(i) the use of contracts with child
 18 care centers, family child care homes, and
 19 organizations that manage and support
 20 family child care networks for underserved
 21 populations;

22 “(ii) extending periods of redetermina-
 23 tion for all families to 1 year;

24 “(iii) extending periods of job search
 25 eligibility; and

1 “(iv) informing families and providers
2 that eligibility is ending in a timely man-
3 ner and in multiple formats.”; and

4 (2) in paragraph (4)—

5 (A) by redesignating subparagraph (B) as
6 subparagraph (D); and

7 (B) by inserting after subparagraph (A),
8 the following:

9 “(B) IN GENERAL.—The State plan shall
10 provide information demonstrating that the
11 State is ensuring that payment rates for the
12 provision of child care services for which assist-
13 ance is provided under this subchapter are
14 equal to or exceed the 75th percentile of the
15 current market rate for all types of child care,
16 based on a research-based market rate survey
17 that includes variations for geography, age of
18 children, and provider type.

19 “(C) CHILD CARE FOR SPECIAL POPU-
20 LATIONS.—The State plan shall describe efforts
21 to address the need for child care for special
22 populations, including care in low-income and
23 rural areas, care for infants and toddlers, care
24 for children with special needs, care for other
25 populations, and care during nonstandard

1 hours, such as paying rates for the provision of
 2 child care services for which assistance is pro-
 3 vided under this subchapter that exceed the
 4 75th percentile of a current market rate for all
 5 types of care (based on the survey under sub-
 6 paragraph (B)).”.

7 (c) ACTIVITIES TO IMPROVE THE QUALITY OF CHILD
 8 CARE.—Section 658G of the Child Care and Development
 9 Block Grant Act of 1990 (42 U.S.C. 9858e) is amended
 10 to read as follows:

11 **“SEC. 658G. ACTIVITIES TO IMPROVE THE QUALITY OF**
 12 **CHILD CARE.**

13 “(a) IN GENERAL.—A State that receives funding to
 14 carry out this subchapter for a fiscal year, shall use not
 15 less than 15 percent of the amount of such funds for ac-
 16 tivities that are designed to improve the quality of child
 17 care, including the implementation of 1 or more of the
 18 following:

19 “(1) Developing and implementing a Quality
 20 Rating and Improvement System (referred to in this
 21 section as the ‘QRIS’) for child care centers and
 22 family child care homes, including criteria appro-
 23 priate for each age group eligible for assistance
 24 under this Act with levels that lead to nationally rec-
 25 ognized high standards.

1 “(2) Providing assistance for education, train-
2 ing, and compensation initiatives to assist child care
3 providers in meeting and maintaining the criteria for
4 achieving progressively higher rating levels under the
5 QRIS.

6 “(3) Providing grants and other types of assist-
7 ance, including mentoring, to assist child care pro-
8 viders in meeting and maintaining the criteria for
9 achieving progressively higher rating levels under the
10 QRIS.

11 “(4) Maintaining a Statewide network of child
12 care resource and referral programs.

13 “(5) Inspecting and monitoring child care pro-
14 grams.

15 “(6) Providing grants to assist child care pro-
16 viders, including those who are limited-English-pro-
17 ficient, in becoming licensed or regulated and in
18 meeting pre-service and ongoing training require-
19 ments.

20 “(7) Offering other assistance to child care pro-
21 viders to strengthen the quality of child care, includ-
22 ing support for education and training initiatives
23 tied to compensation.

24 “(8) Providing grants to assist child care pro-
25 viders who are not required to be licensed or reg-

1 istered in receiving appropriate training and sup-
2 port.

3 “(9) Developing and implementing technological
4 resources to assist low-income families in applying
5 for child care assistance as well as to educate fami-
6 lies concerning the range of and quality ratings of
7 various child care providers.

8 “(b) EXTENSION FOR FULL-DAY CARE.—A State
9 that receives funding to carry out this subchapter for a
10 fiscal year, shall use not less than 5 percent of the amount
11 of such funds for activities that are designed to fund ac-
12 tivities to extend the day or year for those children who
13 are eligible for child care services and attend part-day or
14 year programs.

15 “(c) HIGH-QUALITY CARE FOR INFANTS AND TOD-
16 DLERS.—A State that receives funding to carry out this
17 subchapter for a fiscal year, shall use not less than 30
18 percent of the amount of such funds for activities that
19 are designed to fund initiatives to improve the quality and
20 expand the availability of high-quality care for infants and
21 toddlers.”.

22 (d) REPORTING REQUIREMENTS.—Section 658K(a)
23 of the Child Care and Development Block Grant Act of
24 1990 (42 U.S.C. 9858i(a)) is amended by adding at the
25 end the following:

1 “(3) BI-ANNUAL REPORTS.—Not later than De-
2 cember 31, 2008, and every 2 years thereafter, a
3 State that operates a Quality Rating and Improve-
4 ment System (referred to in this section as the
5 ‘QRIS’) shall prepare and submit to the Secretary a
6 report that includes aggregate data concerning—

7 “(A) the number of licensed center and
8 family child care providers in the State;

9 “(B) the number of child care providers in
10 each level of the State QRIS, listed by type,
11 race and ethnicity, geographic area of the State,
12 and number of children that each such provider
13 is licensed to serve;

14 “(C) the disaggregated number and per-
15 centages of children receiving child care assist-
16 ance under this subchapter in each level of the
17 State QRIS;

18 “(D) whether any change occurred in the
19 number and percentage of child care providers
20 in each level of the State QRIS, listed by type,
21 geographic area of the State, and number of
22 children each such provider is licensed to serve;

23 “(E) the disaggregated number and per-
24 centage of children receiving child care assist-
25 ance under this subchapter who are receiving

1 care from child care providers in a higher-quality level (as determined under the State QRIS)
 2 as compared to the previous 12-month period;

3 “(F) the disaggregated number of child
 4 care providers in low-income communities who
 5 have moved up to a higher-quality level of child
 6 care (as determined under the State QRIS) as
 7 compared to the previous 12-month period; and

8 “(G) the average child care reimbursement
 9 rate under this subchapter at each level of the
 10 State QRIS, listed by provider type, race and
 11 ethnicity, and geographic area of the State.

12 “(4) 5-YEAR REPORT.—Not later than Decem-
 13 ber 31, 2013, and every 5 years thereafter, a State
 14 described in paragraph (1)(A) shall prepare and sub-
 15 mit to the Secretary a report that includes aggregate
 16 data concerning the average individual compensation
 17 paid for each of the following in all licensed child
 18 care programs, disaggregated by race, ethnicity, cre-
 19 dentials, and program type in the State:

20 “(A) Lead teacher.

21 “(B) Classroom assistant or aide.

22 “(C) Family child care provider.

23 “(D) Family child care assistant.”.

1 **SEC. 4. AMENDMENT TO THE TEMPORARY ASSISTANCE TO**
2 **NEEDY FAMILIES PROGRAM UNDER PART A**
3 **OF TITLE IV OF THE SOCIAL SECURITY ACT.**

4 Section 418(a)(3) of the Social Security Act (42
5 U.S.C. 618(a)(3)) is amended—

6 (1) in subparagraph (G), by striking “through
7 2010.” and inserting “through 2008; and”; and

8 (2) by adding at the end the following:

9 “(H) the amount appropriate for fiscal
10 year 2008 increased by \$10,000,000,000 for
11 each of fiscal years 2009 through 2014.”.

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